

REMARKS

Claims 1-28 remain pending in the application, with claims 7-16 being withdrawn from consideration.

Claims 1, 17 and 23 over Gossman in view of Chandra

In the Office Action, claims 1, 17 and 23 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Gossman et al., U.S. Patent No. 6,181,935 ("Gossman") in view of Chandra et al., U.S. Patent No. 6,058,389 ("Chandra"). The Applicants respectfully traverse the rejection.

Claim 1 recites, *inter alia*, an SMTP protocol communication channel and a plurality of subscriber queues each corresponding to a different subscriber in a wireless network. A short message is placed in at least one of the plurality of subscriber queues before delivery to the wireless network. Claims 17 and 23 recite, *inter alia*, placing a short message in at least one of a plurality of subscriber queues before delivery to a wireless network. The plurality of subscriber queues each correspond to a different subscriber in the wireless network.

Gossman appears to disclose a mobility extended telecommunications application comprising an integrated wireless and wirelined network with central control (Gossman, Abstract). A programmed interface translates between different protocols of the wireless and wirelined networks to allow for customized services to be furnished to the wireless network (Gossman, Abstract). Instant Information from the World Wide Web can be delivered to a wireless handset in the form of a short message (SMS) (Gossman, col. 6, lines 22-36). Gossman's SS7 data network interconnects mobility controllers with each other for data communications, i.e., the transfer of necessary data from a subscriber's HLR to a VLR in the mobility controller the subscriber's mobile station is currently communicating with (Gossman, col. 3, lines 62-67).

The Office Action correctly acknowledges that Gossman fails to disclose stored SMS messages being placed in a plurality of subscriber queues (Office Action, page 2). However, the Office Action relies on Chandra to

allegedly make up for the deficiencies in Gossman to arrive at the invention of claims 1, 17 and 23. The Applicants respectfully disagree.

Chandra appears to disclose an advanced message queuing system integrated into a database system (Abstract). The messages are requests for processing by an application (Chandra, Abstract). An application programmer or administrator can specify a list of subscribers that can retrieve messages from a queue (Chandra, col. 12, lines 18-19). In this context, the term "subscribers" means application programs or processes that use messages from a queue (Chandra, col. 12, lines 20-21). Different queues can have different subscribers, and a consumer program can be a subscriber to more than one queue (Chandra, col. 12, lines 22-23).

Although Chandra uses the term "subscribers", the "subscribers" are application programs or processes, **NOT** subscribers within a wireless network. Chandra fails to even address a problem associated with an SMS system as alleged by the Examiner, and has little, if any, relevance to Applicants invention.

Moreover, combining Gossman's message delivery system for a wireless network with Chandra's application program or process queues would be non-sensical. The Examiner is combining two completely unrelated systems to allegedly arrive at Applicants' invention. Gossman's system fails to even disclose a need for a queue of application programs or processes.

Neither Gossman nor Chandra, either alone or in combination, disclose, teach or suggest an SMTP protocol communication channel and a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, or a short message being placed in at least one of the plurality of subscriber queues before delivery to the wireless network, as claimed by claims 1, 17 and 23.

Accordingly, for at least all the above reasons, claims 1, 17 and 23 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 1-3, 5, 6, 17-19 21-25, 27 and 28 over Gossman in view of Foore

In the Office Action, claims 1-3, 5, 6, 17-19, 21-25, 27 and 28 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Gossman in view of Foore et al. U.S. Patent No. 6,542,481 ("Foore"). The Applicants respectfully traverse the rejection.

Claims 1-3, 5 and 6 recite, *inter alia*, an SMTP protocol communication channel and a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, and a short message placed in at least one of the plurality of subscriber queues before delivery to the wireless network. Claims 17-19, 21-25, 27 and 28 recite, *inter alia*, placing a short message in at least one of a plurality of subscriber queues before delivery to a wireless network, the plurality of subscriber queues each corresponding to a different subscriber in the wireless network.

The Office Action correctly acknowledges that Gossman fails to disclose stored SMS messages being placed in a plurality of subscriber queues (Office Action, page 3). However, the Office Action relies on Foore to allegedly make up for the deficiencies in Gossman to arrive at the invention of claims 1-3, 5, 6, 17-19, 21-25, 27 and 28. The Applicants respectfully disagree.

Foore appears to disclose a technique for providing high speed data service over standard wireless connections via a unique integration of protocols and existing cellular signaling (Abstract). A buffer, or queue, is established in a base unit for each subscriber with a wireless network (Foore, col. 6, lines 35-51).

Although Foore discloses establishing queues for each subscriber within a wireless network, Foore fails to even mention SMS, as alleged by the Examiner. Foore's invention is directed toward speeding Internet connections for wireless devices, unrelated to Applicants' use of queues. Queues to facilitate Internet connections by a wireless device are NOT queues to facilitate a SMS, as recited by claims 1-3, 5, 6, 17-19, 21-25, 27 and 28.

Moreover, Gossman modified by the teachings of Foore would result in more efficiently servicing of subscribers with Gossman's wireless

network with Internet access, NOT disclosing or suggesting facilitating SMS, much less disclose or suggest an SMTP protocol communication channel and a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, or a short message being placed in at least one of the plurality of subscriber queues before delivery to the wireless network, as claimed by claims 1-3, 5, 6, 17-19, 21-25, 27 and 28.

Accordingly, for at least all the above reasons, claims 1-3, 5, 6, 17-19, 21-25, 27 and 28 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 4, 20 and 26 over Gossman in view of Foore, and further in view of Couts

In the Office Action, claims 4, 20 and 26 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Gossman in view of Foore, and further in view of Couts et al., U.S. Patent No. 5,974,054 ("Couts"). The Applicants respectfully traverse the rejection.

Claims 4, 20 and 26 are dependent on claims 1, 17 and 23 respectively, and are allowable for at least the same reasons as claims 1, 17 and 23.

Claim 4 recites, *inter alia*, an SMTP protocol communication channel and a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, and a short message placed in at least one of the plurality of subscriber queues before delivery to the wireless network. Claims 20 and 26 recite, *inter alia*, placing a short message in at least one of a plurality of subscriber queues before delivery to a wireless network, the plurality of subscriber queues each corresponding to a different subscriber in the wireless network.

As discussed above, neither Gossman nor Foore, either alone or in combination, disclose, teach or suggest an SMTP protocol communication channel and a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, or a short message being placed in at least

one of the plurality of subscriber queues before delivery to the wireless network, as claimed by claims 4, 20 and 26.

The Office Action relies on Couts to allegedly make up for the deficiencies in Gossman and Foore to arrive at the invention of claims 4, 20 and 26. The Applicants respectfully disagree.

Couts appears to disclose a method in a radio messaging system for forming a current frame of data, while maintaining a current transmission order for numbered messages (Couts, col. 1, lines 51-54). A processor selects a candidate message from a message queue (Abstract). The processor tests whether an available space in a current frame of data is sufficient to accommodate the candidate message (Couts, Abstract).

Couts discloses a single FIFO message queue that messages are retrieved from. Couts's single FIFO message queue is NOT a plurality of subscriber queues, much less a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, or a short message placed in at least one of the plurality of subscriber queues before delivery to the wireless network, as claimed by claims 4, 20 and 26.

Neither Gossman, Foore nor Couts, either alone or in combination, disclose, teach or suggest an SMTP protocol communication channel and a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, or a short message placed in at least one of the plurality of subscriber queues before delivery to the wireless network, as claimed by claims 4, 20 and 26.

Accordingly, for at least all the above reasons, claims 4, 20 and 26 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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